

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL NO. H-16-34
	§	
JOHN C. FERGUSON	§	

UNOPPOSED MOTION TO CONTINUE ALL SETTINGS

TO THE HONORABLE JUDGE MILLER:

COMES NOW, JOHN FERGUSON, through attorney of record Neal Davis and Jed Silverman, files this unopposed motion to continue all dates of all settings, due to Silverman's personal matters and ongoing discovery regarding the defendant's statement, showing specifically:

1. Ferguson has been charged with various charges involving child pornography. He is detained pending the outcome of his case. He is facing decades in prison under the United States Sentencing Guidelines if convicted.

3. It should be noted that undersigned has prepared some pre-trial motions but is in discussions with the prosecution about possibly resolving the case short of litigation. Further, Counsel recently received the defendant's statement with confession that will be used to prepare motions.

4. Counsel Jed Silverman has been out of the office due to the arrival of his first-born child. Counsel Neal Davis has a prepaid out of country family vacation from March 8, 2018 through March 17, 2018.

4. The prosecution is not opposed to a continuance.

WHEREFORE, PREMISES CONSIDERED, Defendant Ferguson prays that the Court grant this motion and that all settings be continued.

Respectfully submitted,

/s/ Jed Silverman

Jed Silverman

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CERTIFICATE OF SERVICE

I, Neal Davis and Jed Silverman certify that a photocopy of this Motion to Continue has been sent via the ECF-Pacer system to the Assistant United States Attorney Sherri Zack on January 25, 2018.

/s/ Jed Silverman
Jed Silverman

CERTIFICATE OF CONFERENCE

I, Neal Davis, certify that I have conferred with Assistant U.S. Attorney Sherri Zack and she is unopposed to this motion.

/s/ Neal Davis
Neal Davis

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CRIMINAL NO. H-16-34

ORDER

Whereas, Ferguson and his attorneys of record have filed a motion requesting a continuance setting forth the grounds for continuance in the attached motion, the Court finds that the ends of justice would be served to the best interest of the public and the defendant, pursuant to Title 18, United States Code, Section 3161(h)(8), et seq., by the granting on the motion for continuance of sentencing, and the period of delay resulting from granting this continuance shall be excludable under the Speedy Trial Act at 18 U.S.C. 3161.

The motion for continuance is granted and a new scheduling order shall issue.

Signed _____, 2018.

HONORABLE JUDGE MILLER